S.B. Cr. Bail Application No. 4698/2007
(Praveen Vs. State of Rajasthan)

Date of order : 20.09.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Rahul Bathi for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned, challan papers and statement of the prosecutrix under Section 164 Cr.P.C.

In her statement, the prosecutrix stated her age as 15 years. Keeping in view the allegation of rape against the present petitioner that too with a minor girl, in my view, it is not a fit case to release the petitioner on bail at this stage.

The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed. However, the petitioner is at liberty to file a fresh bail application after the statement of prosecutrix is recorded by the trial court.

(H.R.PANWAR), J.

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